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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Attorney Docket No. 19229US01)

JUN 03 2008

In the Application of: Francis P. Barry, J. For: JOINT REPAIR USING
Mary Murphy, Robert Deans, David J. Fink, MESENCHYMAL STEM CELLS
and Annemarie Moseley

U.S. Serial No.: 09/841,413

Examiner: Matthews, William H.

Filed: April 24, 2001

Group Art Unit: 3774

Appeal No.: 2008-1317

Confirmation No.: 5476

Electronically Filed on June 3, 2008

REQUEST TO WITHDRAW APPEAL

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant hereby requests withdrawal of Appeal No. 2008-1317 as of the filing date accorded the continuation application, Serial No. 12/132,290.

The Commissioner is hereby authorized to charge any fee(s) or credit overpayment(s) to the deposit account of McAndrews, Held & Malloy, Account No. 13-0017.

Date: June 3, 2008

Respectfully submitted,

/Troy A. Groetken/

Troy A. Groetken

Reg. No. 46,442

Attorney for Applicants

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